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January 5, 2009

**VIA ECF**

Honorable Dickenson R. Debevoise, U.S.S.D.J.  
U.S. District Court for the District of New Jersey  
MLK, Jr. Federal Building & U.S. Courthouse  
50 Walnut Street  
Newark, New Jersey 07101

**Re: *Mitchell Schley v. Microsoft Corporation et al.***  
**Case No. 2:08-cv-03589-DRD-MAS**

Dear Judge Debevoise:

On Friday January 2, Plaintiff submitted an unauthorized sur-reply letter to the Court. The letter argued that Defendants' Reply Brief in further support of their Motion to Amend the Court's Order dated November 24, 2008, should be disregarded because replies are not permitted on *motions for reconsideration*. Because Defendants' motion is not one for reconsideration; but rather, it is a motion to amend the Court's November 24 Order, the Court may disregard Plaintiff's letter.

Respectfully submitted,

s/ Rosemary Alito

RA:rhl

cc: Mitchell Schley, Esq., *pro se* (via e-mail & overnight mail)